

## GENERAL NEWS.

By Telegraph to the News.

WASHINGTON, April 18.—In reply to Bishop Knickerbocker of Indianapolis who inquired as to the right of the railway to transport missionaries at special rates, the commission writes that it has no power in the premises. "There is no doubt," Judge Cooley says, "of the right of the railroads to grant special privileges to religious teachers, and deciding in good faith what they will do, they can scarcely be said to be incurring the risk of penalties. Penalties are for the wilful violations of the law and not for errors of judgment."

Replies of a similar purport have been made to inquiries with respect to transporting persons as acts of charity.

## JUDGE COOLEY

has addressed the following letter to Hon. H. S. Muldrow, Acting Secretary of the Interior:

Dear Sir:—The inter-state commerce commission acknowledge the receipt from you of a communication asking for its opinion upon the questions following:

First.—Is it lawful, under the inter-state commerce act, for a common carrier to make special rates to individuals, in order that such individuals may offer and make proposals to this department for the transportation of Indian supplies?

Second.—Whether transportation over the lines of common carriers of Indian goods for and on behalf of the individual with whom

## THE CONTRACT

may be made by this department for their transportation from their place of purchase to ultimate destination, will be considered and held as the carriage, storage or handling of property at reduced rates for the United States under section 22 of the inter-state commerce act?

The facts upon which the questions arise are given in your communication and appear to be as follows: That the government contracts for the delivery of the supplies needed for the Indian service at New York, Chicago and other points, and then advertises for bids for the transportation of supplies from the point of purchase to the point where they are to be made use of. This is a sufficient statement for the purposes of an answer.

## THE COMMISSION

directs me to say to you that it does not understand it has any general power to construe the statute, or that it is organized for the purpose of guiding or controlling the actions of individuals in either their private business or public duties, except when complaints under the law are brought to its attention or when relief, which is in its power to grant, is prayed. The commission has therefore uniformly declined to express opinions on abstract questions of construction at the request of private citizens or organizations, deeming it alike proper and prudent to do so. In deference to a department of the government the commission inclines to make an exception of your request, especially as there is a doubt regarding the rights of the government which might seriously

## AFFECT THE BIDS

for transportation which are to be called for. Coming to the question, then, I am further directed to say, in view of the statement made by you of the facts, constitutes of itself a complete answer. The supplies, as you show, are delivered to the government at points designated and they are then transported at the cost of the government to points where they are to be made use of. The transportation is, therefore, "for the United States" in the words of the inter-state commerce law, and it is immaterial that it is done by contract, for the government receives the benefit of the free or reduced rates as it must be presumed to do when the bids are made in reliance and upon the expectation that such rates will be granted.

## IMPORTANT DECISION.

The following is a synopsis embodying the material points in by far the most important action yet taken by the inter-state commerce commission. The decision is rendered on the case of two petitions, that of the Order of the Railway Conductors and of the Traders and Travelers' Union, which are of a kind that render the decision especially interesting on account of their being representatives of a very large number of applications made to the commission. The latter petition deals with the manner in which the former system of allowing additional free baggage has been

## INTERFERED WITH

by the inter-state bill. A portion of the railway conductors ask for information as to the proper interpretation of the law as applying to the issuing of passes to railway employees and their families, and to those who make railway service their business, while temporarily out of employment and in search of situations, and if transportation or reduced rates are provided for the representation of any one association, must the same be extended to all others which are composed exclusively of railway employees. In reply the commission says:

## A CAREFUL READING

of the "act to regulate commerce," under which the commission is organized,

will show the petitioners and others who have made similar applications, that no jurisdiction has been given us to answer questions like those under consideration. Two sections of the law confer power upon the commission to entertain and decide applications and petitions. Section 4 empowers us, upon application by a common carrier in special cases, to charge less for a longer than for a shorter distance over the same line, and also to prescribe the extent of the relief from the operation of the former part of the same section which the designated

## COMMON CARRIER

may from time to time enjoy. It is obvious that applications like those of the Railway Conductors' and the Traders' and Travelers' Union, have no relation whatever to the duties imposed upon us by section four, and this is the only section of the law which the commission has power to suspend or relax. Section thirteen authorizes complaints to the commission and confers jurisdiction to entertain the same, but neither the Railway Conductors' nor the Traders' and Travelers' Union complain that any common carrier has violated the law. They present no complaint of anything done or committed from the provisions of the law. If the railway company should issue a pass to a conductor and his family to attend the approaching convention, or should transport 300 pounds of baggage free for

## COMMERCIAL TRAVELER

under the registry and indemnity system, and some person, feeling aggrieved, should make complaint of unjust discrimination, it would be then proper for the commission to entertain the question of whether the conduct was or was not a violation of the law, and if so, whether it is or is not within the exceptions as stated in section 22. Complaints may also be presented if the charges made by carriers are not considered reasonable and just. But until questions of this kind come before us in a way clearly indicated by the statute it would be worse than useless for us to express our opinions or give advice. We should not only lay ourselves open to the charge of assuming unwarranted authority, but should also run the great risk of involving

## ALL CONCERNED

in what the courts might afterward hold to be breaches of the law by hasty and ill-timed conclusions based upon *ex parte* statements and arguments. Congress has not taken the management of the railroads out of the hands of the railroad companies. It has simply established certain general principles under which inter-state commerce must be conducted. It has enacted in section one that all charges for inter-state transportation "shall be reasonable and just." It has prohibited in section two all manner of unjust discriminations; has forbidden in section three all undue and unreasonable preferences and advantages; has required in the same section reasonable and equal facilities for an interchange of traffic, and has prohibited in section five the pooling of freights. That, in substance, is the

## INTER-STATE LAW.

There is nothing novel in these provisions. They bring back the business of common carriers to the well-settled principles of common law. Yet no one can deny that there was urgent need of their statutory formulation. The alleged difficulties in putting them into operation only disclose examples of the extent to which they have been violated in the past.

Referring to the complaint of fines for the violation of the law, whether intentional or not, the commission says: Good faith exhibited in an honest effort to carry out the requirements of the law will involve officials in no danger of damages or fines.

## THE ELASTICITY

of the statute in their favor is noticeable. Throughout the act as it now stands, in a confessedly experimental form, there is exhibited an obvious and generous purpose to allow to a corporation ample scope in the conduct of their business as common carriers while insisting upon just, impartial, open and consistent rates of charges, to which every citizen shall be subjected alike whose situation is the same. Surely the people could not ask for less. The language and tenor of the act wholly fail to justify railroad managers, if any such there be, who refuse to accept responsibilities, decline to offer rates, fail to announce the condition of traffic, embarrass the customary channel of business and bring stagnation upon trades. As the law is practically applied to contain many

## POINTS OF ADVANTAGE

to the economical and profitable management of the business of carriers, which they have not been slow to apprehend and take the benefit of, the commission venture to even hope that with this explanation respecting the mutual functions of carriers and commissioners in carrying the law into effect according to its true intent and meaning, there will be no lack of good faith and active co-operation concerning the normal activity of all kinds of industry and traffic throughout the land under favorable, fair and reasonable terms and conceding frankly to the people all the rights, benefits, advantages and equal privileges which the "act to regulate commerce" was intended to secure.

MILWAUKEE, Wis., April 18.—A spe-

cial to the *Evening Wisconsin* says: Company E, Eleventh Infantry, stationed at Fort Sully, received orders yesterday to proceed at once to the Winnebago and Crow reservations and drive the settlers from those lands. The company, under command of Captain Myers, left yesterday evening and camped at Canning last night. The orders are reported to be strict, calling for the destruction of property if necessary. The greatest excitement exists, and it would not be surprising to see a miniature Riel rebellion inaugurated in these lands. This territory was thrown open by the Arthur administration in February, 1884, and thousands of honest settlers from all parts of the United States rushed in and took possession of claims. Cleveland's reversal of Arthur's proclamation has brought on the present crisis.

ST. JOHNSVILLE, N. Y., April 19.—The passenger train on the New York Central Railroad met with an accident near this place near midnight. A land slide which had been caused by rains, threw the engine from the track. Engineer Edward Canarr was killed and the fireman had his leg broken. The passengers were badly shaken up, but none were seriously injured. The wrecked train consisted of eight cars, all but one of which left the track. The landslide was 120 feet long.

TORONTO, April 19.—A large and enthusiastic anti-coercion bill meeting was held here last night, and appropriate resolutions were passed. Letters of regret because of their inability to be present were received from Archbishop Lynch, Bishop Cleary and Bishop O'Mahoney. They all sent contributions to the anti-coercion fund.

CAIRO, April 19.—Delegates of the new Mahdi had an audience yesterday with the Khedive, to whom they presented letters from the Mahdi to the Khedive, the Queen of England and Sultan of Turkey. In the letter to the Khedive, the Mahdi says: "If you will recognize me as the true Mahdi, you will be saved; otherwise I will march forward and the same fate will befall you as overtook your generals. Mahdi addresses Queen Victoria as the favorite of her people."

EL PASO, Texas, April 19.—Pedro Garcia, editor of the *Observer Frontier*, languishes in Cutting's old cell in Paso del Norte jail, for calling Mayor Provencio, of Paso del Norte, a drunkard and Roberto, the tax collector of the state of Chihuahua, a robber. Garcia published his paper in El Paso and was arrested in the act of circulating it in Paso del Norte on the Mexican side of the river, identical with Cutting's case. The Mexican government exercises the right of extra-territorial jurisdiction, excepting that Garcia is a native Spaniard and is held for circulating and not publishing the libel.

LONDON, April 19.—The *Pall Mall Gazette* says: Parnell is an Irishman, therefore the *Times* is allowed to insult and libel him with impunity. We earnestly appeal to the members of the Commons on both sides to do Parnell justice and commit the editor of the *Times* to the clock tower for breach of privilege.

SOFIA, April 19.—A Russian war ship engaged in the practice of firing off Varna yesterday and caused great alarm among the people of that town. The Bulgarian authorities have protested against a repetition of the firing.

NEW YORK, April 19.—The following card, published this morning, explains itself:

To the editor of the *Herald*:

I have seen a paragraph which has been going the rounds to the effect that Gen. Logan's paper contains a letter from Gen. Sherman of a compromising nature, which he and his brother, Senator Sherman, had endeavored to suppress, and in your issue of to-day I find that one of your Washington correspondents has interviewed the senator, who treats the whole matter with proper contempt. Now I reaffirm every word my brother is reported to have said. Gen. Logan's friends are at perfect liberty to publish in full, any letter I ever wrote to him in private, confidential or official; further, if Mrs. Logan or John A. Logan, Jr., will send to me an accredited agent, I will permit him to see and copy all the letters to be published to satisfy the curious. All men in public station write private letters as well as public, and in this instance I withdraw the limitation as to publication, only suggesting that the letter and answer be published together as more satisfactory to the honest reader. The paragraph here, and the paragraph there is as much a forgery as the writing of a check.

W. T. SHERMAN,

Fifth Avenue Hotel, New York, April 16th.

MADRID, April 18.—Marshal Bazaine was to-day assaulted by a Frenchman who attacked him with a poniard, exclaiming "J'ai vengé ma patrie." The marshal was dangerously wounded about the head. His assailant is believed to be a correspondent of the Paris newspapers.

NEW YORK, April 19.—Mail and Express Washington special: There is now in the vaults of the treasury 2,000 tons of silver and forty-eight tons of gold. The general deficiency bill which failed to pass included an appropriation for a new steel-lined vault that went by the board with the rest. The limit of the vaults is now reached; it is a question where Uncle Sam is going to pile his superfluous cash. Carrying it back and forward between New York and San Francisco is a tremendous item of expense. Last year the transportation of silver from San Francisco alone cost \$100,000. The ex-

periment of transporting it by United States vessels proved too dangerous to be repeated after one cargo had been shipped. The weight of the vessel's armament with the addition of a cargo of specie, was too much for any ship. So one of the first things Secretary Fairchild will have to do will be to find some way of taking care of his cash.

NEW YORK, April 19.—The *Catholic News* of this city to-day received the following cable dispatch:

ROME, April 18.—The Pope has decided the question of the Knights of Labor in favor of that organization. The decision will stand so long as the present method is pursued in furthering their aims. The document of Cardinal Gibbons has been endorsed. The Pope further decides that in Canada, where the mandament had been issued against the Knights of Labor, the members of the order will receive absolute obedience on promise of obedience to future decisions of the Holy See. If the Knights identify themselves with the theories now being disseminated by certain agitators, this decision in their favor will be revoked.

SUFFOLK, Va., April 19.—Last night a cyclone visited this section with fatal and destructive effect. Its track was about one hundred yards wide. The house of John Wright, six miles north of Suffolk, was totally demolished. Mr. Wright and his wife and young sister, and James Luke, were in the house at the time. Mrs. Wright and Mr. Luke were instantly killed. The young girl was fatally injured and Mr. Wright was seriously hurt. Much other damage was done to property along the path of the cyclone.

ST. JOHNS, April 19.—Sarah Howe, who fled from Boston in the early part of last week, after swindling her lady depositors out of \$50,000, has been living here for several days. On Saturday she engaged a fashionable residence. The house adjoins the residence of President McClelland of the suspended Marine Bank, whose furniture and outfits she purposed to purchase. Her identity being discovered, however, she was seized with fear and took last night's train for Canada.

CHICAGO, April 19.—The International Working People's Association, which was the central body of the armed section of the Chicago anarchists, known as the Lehr Wehr Verein, has disbanded, and the formidable organization which flared the history of the western metropolis for the year 1886 with terror and excitement is no more. At the meeting of the groups at which this action was taken, it was argued that the time for international groups in Chicago had passed, and that the organization could not exist for the sole purpose of giving rogues an opportunity to earn their living as spies.

CHICAGO, April 19.—After being out five hours and ten minutes, one hour of which was spent at supper, the jury in the Schwartz-Watt Rock Island murder trial returned a verdict pronouncing Watt and Schwartz guilty of murder and sentencing them to imprisonment in the penitentiary for life. The verdict was received by the prisoners without a look or action of surprise. They were quietly taken to their cells, and to-morrow their attorneys will enter a motion for a new trial.

LONDON, April 20.—It is officially stated that Lord Salisbury's dispatch sent to Washington on March 24th, said that the British government, understanding the action of the United States in denouncing the fisheries article of the treaty of Washington, to be in a great degree the result of disappointment at being called upon to pay \$11,000,000 under the Halifax fisheries award, offers - to revert to the old condition of affairs without pecuniary indemnity, which offer, it trusts, will commend itself to the American government as being based upon that spirit of good will and generosity which should animate two great and kindred nations whose common origin, language and institutions constitute as many bonds of amity and concord.

ST. PETERSBURG, April 20.—Six of the men arrested for complicity in the plot to assassinate the Czar, which was to have been carried out on the 13th of March, have been sentenced to death. The other conspirators have been sentenced to imprisonment for life.

SAN FRANCISCO, April 20.—Queen Kapiolani, of the Hawaiian Kingdom, arrived this morning from Honolulu, on the steamer *Australia*. She was accompanied by Princess Lilikaloai and a number of high officials of the Hawaiian government. The principal object of the Queen's voyage is to be present at Queen Victoria's jubilee celebration in London in June next. The royal party remain here about a week, when they leave for Washington to pay their respects to President and Mrs. Cleveland. After a short stay at the capital they proceed to New York, thence to London. Before returning, Queen Kapiolani will also visit the principal cities of the world. She has never before been outside her kingdom.

CHICAGO, April 20.—James G. Blaine, accompanied by his wife and daughter, arrived here this morning. He is much improved in health.

LONDON, April 20.—Several Gladstone liberals desire to have Parliament issue a summons to the editor of the *Times*, calling him before the bar of the House of Commons to answer to a breach of privilege in accusing Parnell and other members of the House with complicity in crime, or that Gladstone propose the appointment of a commission to examine the *Times*' charges. The Par-

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## IRISH CRIMES BILL

would not compare in stringency Gladstone's bill of 1881. Under the latter measure the people were imprisoned without trial. This could be done under the present bill. The suppression of crime in Ireland must mean suppression of liberty.

The policeman in arresting Sykes" did not interfere with liberty, yet Gladstone opposed the repression bill. The danger of the present catch words. Gladstone, who spent his life in changing his opinions, mentioned those who had separated from him in the tone a father lectures his children. He preached and almost prayed for them, but it never occurred to Gladstone that perhaps they had something to

## COMPLAIN OF.

They were unable to change their opinions in a single night like he could. Salisbury prophesied that Gladstone would find it difficult to gather around him any new recruits. His present adherents had gone too far to recede. What had Gladstone gained? asked the premier. He had gained eighty-six very devoted followers of Parnell, who had been charged with having approved murder and who had refused or whose friends had refused for him to enter the witness box and deny the charge, and this course Gladstone approved. Parnell had been assisted with funds subscribed by men who